

AN ACT

RELATING TO HEALTH; EXPANDING MEDICATION-ASSISTED TREATMENT  
PROGRAMS IN STATE CORRECTIONS FACILITIES; CREATING A FUND;  
MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO  
SECTION 1. MEDICATION-ASSISTED TREATMENT FOR THE INCARCERATED  
PROGRAM FUND--CREATED.--

A. The "medication-assisted treatment for the  
incarcerated program fund" is created as a nonreverting fund  
in the state treasury. The fund consists of appropriations,  
gifts, grants and donations. The human services department  
shall administer the fund, and money in the fund is  
appropriated to the human services department to assist all  
counties that operate correctional facilities to establish  
and operate medication-assisted treatment programs for people  
who are incarcerated in county correctional facilities.  
Disbursements from the fund shall be made by warrants of the  
secretary of finance and administration pursuant to vouchers  
signed by the secretary of human services.

B. No later than December 1, 2023, the human  
services department shall promulgate rules for the operation  
of medication-assisted treatment programs in correctional  
facilities in consultation with the corrections department,  
county corrections administrators and providers who

1 specialize in substance use disorder treatment and have  
2 experience working in corrections settings.

3 C. Beginning October 1, 2023 and annually  
4 thereafter, the human services department and the corrections  
5 department shall report to the interim legislative health and  
6 human services committee and the legislative finance  
7 committee on the establishment and operation of  
8 medication-assisted treatment programs in correctional  
9 facilities.

10 D. The corrections department shall:

11 (1) expand and continue to operate currently  
12 existing medication-assisted treatment programs for people  
13 who are incarcerated in a state correctional facility;

14 (2) by December 31, 2025, establish and  
15 operate a medication-assisted treatment program to continue  
16 medication-assisted treatment for incarcerated people with a  
17 prescription who are booked into a state correctional  
18 facility; and

19 (3) by the end of fiscal year 2026, offer  
20 medication-assisted treatment to all people who are  
21 incarcerated in state correctional facilities and in need of  
22 medication-assisted treatment.

23 E. As used in this section:

24 (1) "correctional facility" means a prison  
25 or other detention facility, whether operated by a government

1 or private contractor, that is used for confinement of adult  
2 persons who are charged with or convicted of a violation of a  
3 law or an ordinance; and

4 (2) "medication-assisted treatment" means  
5 the use of federal food and drug administration-approved  
6 prescription drugs for the treatment of substance use  
7 disorder. \_\_\_\_\_

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